

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 PM-04 INR-07 L-03
ACDA-07 NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06
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FM AMEMBASSY MADRID
TO SECSTATE WASHDC PRIORITY 9009
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY OSLO
AMEMBASSY PARIS
USMISSION NATO
USMISSION EC BRUSSELS

C O N F I D E N T I A L MADRID 1211

E.O. 11652: XGDS-1
TAGS: PINT, SP
SUBJECT: INTERIOR MINISTRY OFFICIAL ON PCE REGISTRATION

1. DURING LUCH WITH DCM, THE UNDERSECRETARY OF INTERIOR FOR PUBLIC ORDER (HERNANDEZ GIL), SAID HE HAD BEEN WORKING DIRECTLY ON THE SUBJECT OF THE HANDLING OF THE PCE'S INSCRIPTION AS A POLITICAL PARTY. THE POSITION OF HIS MINISTRY--NOT, HE POINTED OUT, NECESSARILY THAT WHICH THE GOVERNMENT WOULD TAKE--WAS TO FIND A PRESUMPTION OF ILLEGALITY ON THE PART OF THE PCE, AND THUS SEND THE CASE TO THE SUPREME COURT.

2. THE FINDING, ON WHICH HE HAD ALREADY WORKED, HE SAID, WOULD BE BASED ON THE PCE'S LONG HISTORY OF INTERNATIONAL
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CONNECTIONS AND ON THE LACK OF CHANGE IN THE PARTY'S LEADERSHIP THROUGH A GOOD DEAL OF THAT HISTORY. IT WAS NOT LOGICAL TO SUPPOSE, HE SAID, THAT ALL THESE PEOPLE WOULD HAVE UNDERGONE A SIMULTANEOUS AND IDENTICAL IDEOLOGICAL TRANSFORMATION.

3. AT THE SAME TIME, HE ADDED, THE PARTY STATUTES AS

SUBMITTED IN ACCORDANCE WITH THE NEW PROCEDURE WERE PROFUSE IN DECLARATIONS OF DEMOCRATIC SPIRIT AND STRICTLY NATIONALIST, INDEPENDENT STANCE, USING "DEMOCRACY" 52 TIMES IN 26 ARTICLES, HE SAID FACETIOUSLY. (THIS OF COURSE AIMS DIRECTLY AT THE PHRASE IN THE LAW BARRING PARTIES WHICH, "SUBMITTED TO AN INTERNATIONAL DISCIPLINE, PROPOSE TO IMPLANT A TOTALITARIAN SYSTEM.") HERNANDEZ SAID THE CORTES, THOUGH IT SOUGHT A PHRASE WHICH WOULD BAR THE PCE, HAD IN REALITY NOT DEvised A FOOLPROOF PHRASE.

4. HERNANDEZ ANTICIPATED THAT THE GOVT WOULD SEND THE CASE ON TO THE SUPREME COURT, WHERE LAWYERS FOR THE PCE AND A "STATE LAWYER" (DRAWN FROM THE OFFICIAL PANEL OF "STATE LAWYERS") WOULD PRESENT THEIR ARGUMENTS AND THEN WOULD DECIDE ON THE MERITS. HERNANDEZ GAVE MARCH 23 AS THE OUTER LIMIT FOR A COURT DECISION.

5. REGARDING POSSIBLE CASES OF OTHER PARTIES, HERNANDEZ IDENTIFIED ONLY THE CARLISTS AS A LIKELY TARGET. SUCH EXTREMIST OFF-SHOOTS OF THE PCE AS THE MOVIMIENTO COMUNISTA (WHICH HAS INDICATED ITS INTEREST IN SIGNING UP) WERE NOT VERY IMPORTANT BUT MIGHT BE PRESUMED ILLEGAL THROUGH THEIR EXTREMISM OR CONNECTION (ALBEIT SEVERED) WITH THE PCE, WHILE AT THE SAME TIME, AS SPLINTERS WITHOUT DIRECT INTERNATIONAL CONNECTIONS, THEY MIGHT STRICTLY SPEAKING NOT COME UNDER THE LAW OF POLITICAL ASSOCIATION AS CURRENTLY WRITTEN, HERNANDEZ SAID. STABLER

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